(iii) (a) Twenty-fifth Annual Report and Accounts of the Animal Welfare Board of India Madras, for the year 1986-87 and Audit Report on the Accounts.

(b) Review by Government on the working of the Board.

(c) Statement giving reasons for the delay in laying the papers mentioned at (a) above.

[Placed in Library. *See* No. LT-6485/88 for (a) to (c)]

**Report and Accounts (27th October, 1986 to 31st March, 1987) and related papers**

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI RAJESH PILOT) : Sir, on behalf of SHRI P. NAMGYAL, I beg to lay on the Table—

1. A Copy each (in English and Hindi) of the following papers, under section 24 of the Inland Waterways Authority of India Act, 1985:—

(i) Annual Report and Accounts of the Inland Waterways Authority of India, New Delhi, for the priod from 27th October, 1986 to 31st March. 1987, and the Audit report on the Accounts.

(ii) Review by Government on the working of the Authority.

II. Statement giving reasons for the delay in laying the papers mentioned at 1 (i) above.

[Placed in Library. *See* No. LT-6490/88 for I and II]

MR. CHAIRMAN : I request the Members to go to their seats..(*Interruptions*). Hear me, Mr. Upendra. I did not permit M. Bhaskara Rao to do it, and I am not going to permit it so long as I am alive. The House will go on. You cannot stop it. You may walk out. But I cannot permit it. Because of this, I changed one Speaker, you know. Be honest to yourself. I have done all this for you..(*Interruptions*).

I adjourn the House to meet at 1'0clock.

The House then adjourned at five minutes past twelve of the clock.

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The House reassembled at one minute past one of the clock. **The Deputy Chairman** in the Chair.

**MOTOR VEHICLES BILL 1988—** *contd.*

THE DEPUTY CHAIRMAN: Now, the hon. Minister of Surface Transport to reply to the debate on the Motor Vehicles Bill. (*Interruptions*)

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): Madam four hundred MLAs are still under arrest. They have been lathicharged. They have been teargassed. (*Interruptions*)

THE DEPUTY CHAIRMAN; Hon. Minister to reply. (*Interruptions*)

SHRI DIPEN GHOSH (West Bengal): Madam I want to make a Submission. . (*Interruptions*)

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI RAJESH PILOT) Madam Deputy Chairman, I thank all the hon. Members who have taken part in the debate on this Bill yesterday. Specially, I thank Mr. Yashwant Sinha for his valuable suggestion. (*Interruptions*) The objective of the Bill is to consolidate the law relating to motor vehicles. (*Interruptions*) The idea is to go by past experience to meet the future requirements of the country (*Interruptions*)

SHRI B. SATYANARAYAN REDDY; Madam, 400 MLAs have been teargassed. (*Intrruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI HANS RAJ BHARADWAJ); You go on. Do not look at him. (*Interruptions*)

SHRI RAJESH PILOT : We have taken care of all the points, based on our experience in the last fifty years. Transport sector is one of the most important sectors which helps our economy directly and the common man also is affected with its rules and regulations. We have tried to go by the past experience. . . (*Intcrruptions*)

THE DEPUTY CHAIRMAN : Mr. Upendra, the Minister is to make a statement at 5 P.M. At that time, you can speak.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh) : But we have got an appointment with the President of India at 5 P.m. Let them make the statement at 3 p.m.

THE DEPUTY CHAIRMAN; I will ask the Minister of Parliamentary Affairs to get the time changed, Please bear with me. Let the hon. Minister of Surface Transport complete his reply. We can get the time changed acocording to your convenience.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M.M. JACOB): I will pass on the information.

SHRI PARVATHANENI UPENDRA: At what time the statement will be made ?

THE DEPUTY CHAIR MAN: I will check up with the Minister and then I will ask them to get the time changed. I will do that.

SHRI M.M. JACOB: I will go to the Home Minister personally and inform him about it. (*Interruptions*)

SHRI PARVATHANENI UPENDRA : Let him go to the Home Minister, consult him and inform us. Then, we can go according to that. Let him declare the time (*Interruptions*)

THE DEPUTY CHAIRMAN : Let the hon. Minister of Surface Transpost go on with his reply. In the meantime, the Minister of Parliamentary Affairs can go and find out.

SHRI RAJESH PILOT: Madam, as I said earlier, I thank all hon. Members who have taken part in Yesterday's discussion for their valuable suggestions in regard to this important sector of our economy ... (*Interruptions*)

THE DEPUTY CHAIRMAN : Mr. Upendra, you said that you have an appointment with the President at 5 p.m. That is why I have asked them to get the time changed. You can be present in the House and you can seek clarifications. I will allow you to seek clarifications.

SHRI PARVATHANENI UPENDRA: His point is, in spite of this being brought to the notice of the Prime minister at 11 O'clock, they are sill under arrest. We are coming from police station, they are still under arrest.

THE DEPUTY CHAIRMAN : Whatever may be the position, you seek clarification.

SHRI PARVATHANENI UPENDRA : That shows the attitude of the Government. There is no question of seeking clarifications (*Interruptions*).

THE DEPUTY CHAIRMAN : But you cannot stall the proceedings of the House. (*Interruptions*).

Mr. Dipen Ghosh, I agreed to your suggestion. I say that it is good of you and it is good of the Government that the Government has agreed to make a statement.

SHRI DIPEN GHOSH : But 5 O'clock has been fixed for the opposition party MPs and MLAs to meet the Rastrapati. So, you please pass an order that the Government should make a statement as early as possible but not later than 3 O' clock. It will certainly require time for us to seek clarifications and then listen to the reply of the Minister and then go the Rashtrapati Bhawan. So, latest by three the Minister should make the Satement.

THE DEPUTY CHAIRMAN : Just now, in your presence the State Minister for paliamentary Affairs has gone to find out by what time they will be able to come back with the Statement. You have to bear with the House till that time. Do not try to raise this. I have accepted your suggestion. I have requested the Minister to find out wheather the Statement is to be made at such time so as to disturb your appointement with the president. (*Interruptions*). Now please, be considerate, be reasonable and be sensible I request all of you to....

SHRI PARVATHANENI UPENDRA : In that case we are walking out in protest. Till the time the statement is made, we cannot stay here. We are walking out in protest.

*(At this satage some hon. Members left the chabmber).*

THE DEPUTY CHAIRMAN: Now the Transport Minister will Continue his reply (*Interruptions*)

SOME HON. MEMBERS:*

THE DEPUTY CHAIRMAN: No slognas will go on record. (*Interruptions*) please go out (*Interruptions*) I have asked them to sit down. आपने तो वाक आउट किया है ।

Now you have walked out (*Interruptions*). I have already said that no slogan will go on record.

आप बैठ जाइए । मंत्री महोदय, को रिप्लाई देने दीजिए ।

SHRI RAJESHPILOT : Madam, if I may continue....

उपसभापति: प्लीज, मिनिस्टर का रिप्लाई सुनिये । .... (व्यवधान) .... आर्डर प्लीज.... (व्यवधान) .... आपको मिनिस्टर का रिप्लाई नहीं सुनना है क्या ? मिनिस्टर को बोलने दीजिए ।

SHRI RAJESH PILOT : Madam Deputy Chairman, I must thank all the Members who took part in yesterday's debate and have contributed very valuable suggestions during the discussion, especially Mr. Sinha who has some experience in the subject has given very good suggestions and points. Instead of dealing with each point, I will generally cover the main points given by most of the Members.

*Not recorded.

Madam, the need for this Bil was felt because in 1951 the population of vehicles was roughly 3 lakhs, and in 1988, it has gone up to 100 lakhs. On this consideration, I fully share the views of the hon. Members that from 1979 when this working Group was made, we have been consulting the various professional organisations and very valuable suggestions have been incorporated in this Bill.

Some of the hon. Members have pointed out that the condition of the roads is not good. It is a fact that the condition of the roads is not that good as it should be of National Highway standards. I have been mentioning in my answers during the Question Hour and otherwise that when you go from State to State, on the road itself you could make out that you are entering so and so State and leaving so and so State. I am happy that the hon. Members from both sides also have shared my viewpoint today that the State Governments have not been able to keep the National Highways up to the required standards. That is why the Government is considering a proposal to go in for a National Highway Authority. One hon. Member has mentioned that NHA was talked about a year back. It is fact that for the last roughly one and a half years we are trying to have this Authority sanctioned by Government and come to Parlaiment so that the National Highways and roads could be controlled from the Centre, and if a State does not maintain the roads to the required level, we might take away the work from that State. As of today, the system of maintaining the National Highway is that the allocation of funds is done by the Centre and with some service charges by the

State, it is being maintained. I think it is 9% or something like that. But it is a fact that the standard of the National Highways is not up to the mark. The Government from its side has made efforts to enhance the allocation. Although it has not been up to requirement, if we go through the records, in the First Five Year Plan the allocation for the road sector specially was 1.4% and as of today in the Seventh Plan, the allocation is .5%. So the allocation has come down and the need has gone up. So keeping these factors in mind, Government thought that if they cannot have funds or resources from the government side at the moment, they should involve the private sector to also supplement the resources. That is why the National Highway Authority is being thought of so that we can supplement our resources for the road sector, and secondly we can monitor the work. That is whatever job about the Ntional Highway we give to the State Government, we can monitor from here and if any State does not actually do the work properly, then we can think of competition with some other agencies.

With this hope and with this attitude of mind Government is coming to the House soon and I am hopeful—the Law Ministry has cleared the Bill—— I think very soon, in a day or two we shall, with adequate money, come back to the House with the National Highway Authority Bill.

The House willl be happy to know that recently Government has cleared a proposal for enhancing the cess on petrol. Earlier it was very less ; now it has been increased. And earlier diesel was not within the purview of the cess. We have brought diesel also within the purview of cess.

Cess was thought of only in the 40's when diesel was not there. Now, by including diesel under cess, it is estimated that we will get a revenue of Rs. 320 crores. If the sale of petrol and diesel goes up, then the allocation will also go up. Out of these Rs. 320 crores, Rs. 220 or Rs. 210 crores will be the State share and Rs. 110 or Rs. 120 crores will be our share which, earlier, was roughly Rs. 10 crores only. It means that Rs. 10 crores for the national highways, there will be a supplement of Rs. 110 crores per year with this effort of the Government by enahancing the cess. So I may assure the House that Government is very keen to give high priority to the road sector.

Another point was made about driving. Yes, it is a fact that driving standard of our country is not up to the mark. In this Bill we have come out with very strict regulations so that our driving licence becomes very effective and meaningful. We have kept a gap of two year's experience on light motor vehicles, one year on medium and then on heavy motor vehicles.

About driving schools a point was made. There is a provision in the Motor Vehicles Act that every State is supposed to have a motor driving school, wherever they feel like. But there was a good suggestion by some of the Members that we could have a driving school in each district. I fully agree with the suggestion and, while framing the rules, I will certainly make sure that the State Governments would implement this at the district level, initially. Maybe they would like to categorize the districts, initially, where the vehicles population is more, but I will certainly include it in the rules when we frame the rules.

Another important point made was about corruption. Most of the Members did say that here is corruption in this sector, I do share their feelings that this is the complaint, this is the general impression in the country,that there is corruption in the transport sector. I am not saying that by passing this Bill Govern-

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ment is going to root out the corruption from the transport sector, but Government's intention is clear that we are making our efforts. It depends on how effectively the State Governments would implement this system. We hope that with the implementation of this law, corruption shall be taken care of and there won't be any corruption if it is effected and implemented in the real sense.

Madam, the question of permits was raised. In this same House I had mentioned that when we removed the restriction on national permits for trucks, there were a lot of objections from various organizations that this Government was going away from scialism, that this Government was keeping away from helping the backward and Scheduled Caste categories of citizens--and I had explained to the honourable House that day that our intention was not that. If we go with reality, today the permits are taken in the name of Scheduled Castes and the poor Scheduled Castes --not all-do not really use them for the purpose for which they are given. So, we have made it free and the revenue, after making it free, has gone up by nearly 100 times more than what we had on national permits. Similarly we have taken care in national permits for tourist taxis and tourist buses and removed the restrictions. With this, there will be help. Today the impression in the country is that you cannot get a permit either by poltical approach or by some other means. This is the impression in the common man's mind. To remove that impression we have removed the restrictions on all permits so that this impression is removed from the country.

SHRI VITHALBHAI M. PATEL (Gujarat): Don't they require your permit now ?

SHRI RAJESH PILOT : I am just coming to that...(*Interruptions*)

SHRI VIHTALBHAI M. PATEL Earlier you were thinking of removing the permit system.

SHRI RAJESH PILOT: What I am trying to say is, it will be a permission.

SHRI GHULAM RASOOL MATTO : (Jammu and Kashmir): It has been regularized in this Bill.

SHRI RAJESH PILOT: One point was made about contract carriages. Today we have, say, routes A and B. Government issues a notification that so and so route is nationalized but, for years together, they do not nationalize the route. The private operators who are operating on that route carry on going to the different agencies and they carry on keeping it pending. So, the State Governments are not effective in taking a decision on nationalizing a particular route. In this Bill we have a provision that if the Government notifies that a particular route is to be nationalized, that decision has to be implemented within one year, and if they do not implement it, it rests with the public or the users in whichever State the notification was issued. So, with this we hope there won't be mich manipulation or things like that in this respect.

One point was about overloading. In this Act we have come down very heavily up to extent that the checking party can weigh the carriage there itself and offload it. If, suppose, it is carrying 1,000 kg. or 1,500 kg. extra, the penalty is very high. It has to be offlo ded there itself. With this, with the psychological impression and the strictness of the Act, with the strictness of the clauses, we hope that overlo ding would be stopped which would indirectly help road safety.

Another point was about drinking. This has been the complaint that a lot of people, drivers specially, get drunk in the night. We have gone

very strict in this. Blood test was one suggestion given by medical authorities. This gives an impression immediately that so and so is drunk. So, blood test has been included. The punishment has gone very high. The first punishment is six months. If he is again caught, it is two years. There was a suggestion that we should increase the penalty.

SHRI GHULAM RASOOL MATTO: Inhalation also.

SHRI RAJESH PILOT: That is very common. Inhalation test is taken always. But the blood test is one which gives the total record. We have taken care. We have enhanced the penalty in terms of fine also and in terms of being strict in imprisonment. That will really improve the condition. Money is not the only thing. If we enhance the penalty of fine, one pays off and gets off. But when one knows that there will be two days' R. I., then, he will not get drunk and drive.

Another point made was about claims. Madam, we have gone very deep into it. We have tried that the procedure becomes simple. We have made rules laying a time-frame that if a judgement is given by the Tribunal on any day, within 15 days the judgement has to be delivered and within 30 days payments are to be made. All these factors have been taken care of in the Bill so that the Bill becomes effectives.

As I have mentioned, hon. Members have given various points. One was given by Raoof Valiullahji that 18 years of age was mentioned at one point for giving a learner's licence but that at another place it was mentioned as 16 years. I think, if you read it *in totv* or the whole sentence, it clearly says that for a learner's licence for those who are below 18 years, it requires a letter or permission from the guardian or a parent of the person. So, the sence of the sentence is that. If you read at page 12....

SHRI RAOOF VALIULLAH (Gujarat): Clause 4 says :

"No person under the age of eighteen years shall drive a motor vehicle in any public place:

"Provided that a motor cycle without gear may be driven in a public place by a person after attaining the age of sixteen years."

In clause 7(2) you say :

"No person under the age of eighteen years shall be granted a learner's licence to drive a motor cycle without gear..."

This is a contradiction. I said that heavens would not fall if in place of "under the age of 18 years" you say "after attaining the age of 16 years." What difference does it make? But then it will be in consonance with the earlier clause. It comes to the same thing.

SHRI RAJESH PILOT : I am coming to it. Madam Deputy Chairman, as the hon. Member has pointed out, from clause4(1) it is clear that no person under the age of 18 years shall drive a motor vehicle in a public place. This is the requirement. We do not want that anybody below the age of 18 years should drive in a public place. He is linking both the clauses.

SHRI RAOOF VALIULLAH: You read the proviso.

SHRI RAJESH PILOT : "Provided that a motor cycle woithout gear may be driven in a public place by a person after attaining the age of sixteen years."

This we have put purposely because in practice today children of 16 to 17 years are driving mopeds without gear. So, we wanted to permit that, we wanted to regularise that, instead of having the condition that they should not drive but they

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still drive. That is why, we have reduced the age from 18 to 16 for persons who want to drive mopeds or anything without gear. Now what he is linking is clause 7(2) which reads:

"No person under the age of eighteen years shall be granted a learner's licence to drive a motor cycle without gear....."

Read the whole sentence:

"....except with the consent in writing of the person having the care of the person desiring the learner's licence."

For a child of 16 years you require consent from his parents. That is what it means.

SHRI RAOOF VALIULLAH: The dispute is not about the provision. The dispute is about the words. You say, "No person under the age of 18 years." I say, "A person after attaining the age of 16 years" because this will then go with section 4 which says :

"Provided that a motor cycle without gear may be driven in a public place by a person after attaining the age of sixteen years."

SHRI RAJESH PILOT : This is what I am saying, Madam Deputy Chairman, The hon. Member should read the whole sentence. This is legal. [illegible] lawyer.

It is there: "No person under the age of eighteen years shall be granted a learner's licence to drive a motor cycle without gear except with the consent in writing of the person having the care of the person desiring the learner's licence."

SHRI RAOOF VALIULLAH: If you say after the age of 16 years, you continue with that.

SHRI RAJESH PILOT : When the hon. Member told me and I read it, I too had the same impression. But I consulted the legal people.

THE DEPUTY CHAIRMAN: It is a very big Bill. You leave some scope for furture amendments.

SHRI RAJESH PILOT : The intention which the hon. Member is pointing out is very much here. Before the discussion started, he pointed it out to me and I had a long discussion with the officers who have framed it. They say the intention is same, but the wording has to be in this way. You have to get a legal opinion so that it does not get struck down in the court. So, all this which the hon. Member has pointed out during the discussion has been taken care of".

I must at this juncture tell the hon. House that after 15 years we have come with a comprehensive legislation. Government's mind is always open. These Bills are not that you can make them for 100 years or 50 years at one time. The situations change. The Government's mind is always open. After say, five to ten years, whenever we feel that it has to be amended to give a better sense, we can do that. There is no restriction on that. Even during the discussion in the other House I said at the very beginning that the Government's mind is open for any amendment. We will have anything which the House and the country feel is good. Our aim is to regulate the transport system in the country in a smooth manner and see that our citizens are not harassed by the Authority.

One point which is worrying the Government and which has been pointed out by a lot of hon. Members here is regarding police checking. There is a Clause about the Police Officers appointed by the State Goverernment. There was a suggestion by the hon. Members that we should

upgrade it to the rank of sub-inspector or some officer from the Authority should be available for the purpose. We thought over it. It is good if we can upgrade it to the inspector rank for the checking purposes, but the problem will arise if you would have so many officers available on the road. Now, suppose an inspector goes with a team of six constables. If the Inspector is not halting the truck, the truck may not halt because the Inspector is not halting it. So, this practical problem will arise. But the intention behind the suggestion has been taken note of very seriously by the Government and we will certainly make sure that whatever could be done by the State Governments, should be done. During my discussions with the Chief Ministers and the Transport Development Council, I will bring this fact to their knowledge so that they can implement it with the same sense.

With these words I once again thank the hon. Members who have contributed their valuable ideas and suggestions. We have tried our best to include maximum points of the existing system and also the points which we have learnt on the basis of our experience during the last 30 to 35 years, what faults were there in the old Motor Vehicls Act, all these have been taken care of. We have also taken care of the future requirements that are likely to come up in the transport sector and what measures could be taken in that line. All these points have been taken care of in this Bill. I am very hopeful though it may not have an immediate effect, but within six months the whole country will feel that the transport system has been really simplified especially in the matter of decision-making as the Bill has provided. I think a lot of problems on the administrative side and harassment by the Authority here and there will be solved.

With these words I once again thank all the hon. Members who took part in this debate.

SHRI RAOOF VALIULLAH I would just like to have one small clarification.

Clause 68—Transport Authorities—says:

"The State Government shall, by notification in the Official Gazette constitute for the State a State Transport Authority to exercise and discharge the powers ...."

"It shall consist of a Chairman, who has had judicial experience or experience as an appellate or a revisional autho rity...."

But in the same way it says:

"Provided that nothing in this sub-section shall prevent any of the members of the State Transport Authority or a Regional Transport Authority, as the case may be to preside over a meeting...."

Now this nullifies the whole effect. Supposing the Chairman is absent. The Member is not to be a judicial person In most cases what will happen is that the Chairman will remain absent and the Members will do whatever he wants. This is the drawback of this Clause, Has the Minister thought over it? Would the rules be made in such a way that this not taken shelter of. If the Chairman is not there the member will preside over the meeting and it will nullify the effect.

SHRI RAJESH PILOT: Madam, this is not nullified. What we have tried to bring in is that we should give options to the Judicial persons and they could also be involved in such decisions. what is happening today? Suppose the Chairman is not there, th meeting does not take place.

SHRI RAOOF VALIULLAH : The Member also should be a judicial authority.

SHRI RAJESH PILOT: You cannot have. Not possible.

**श्री रऊफ वनीउल्लाह :** फिर तो क्या होगा कि चेयरमैन बेमार हो जाएगा, नहीं रहेगा, वहीं मेम्बर खड़े हो करके करेंगे ।

SHRI RAJESH PILOT : The apprehension which the hon. Member is having is that he might have got practical experience or somedbody must have explained to him about this. Normally, we have complaints that meetings are called but they do not take place and they keep on postponing till their vested interests are served. We are also not writing off the regional transport authorities but very little is left for them to do when you have no restriction on the permits we are open. There is no quota. Now, only 10 buses or 5 buses will ply on this route or there will be notification, there will be cross-questioning, they will discuss this; there is no reservation on many routes, then tourist taxi or All India Tourist bus permits all have been totally taken care of for them. These were the very few things in their hands which were tempting, which we have taken off from them.

This will be totally, I should not say in the Government, a light weight authority. But the idea is that we have simplified the procedure in such a way that they will be able to help the system instead of having a single system. Whatever the apprehension, the hon. Member is having will be removed with this system.

SHRI VITHALBHAI M. PATEL : One minute. Sometime back the Minister has indicated that the permit system will be totally abolished. May I know from the Minister whether he is going to abolish it totally ?

SHRI RAJESH PILOT : I have said it in a very common man's language. I did not really talk on behalf of the Government. Today, there are quota system on the permits. The Central Government gives it to the State Government and the State Government further distributes it. Now what is happening is that they are carrying on with the permits till the financial year is over. Suppose, permit quota is up to the end of March, till December, no permits are issued and everyone will be carrying on with the permits till such time and in January/February they start issueing. This is what we have done. We have so many quota restrictions on it but the permit will still be valid if you have to ply a vehicle from A to B after the Government's permission to ply it. But we have removed the restriction on the quota. That is what we have tried to incoroprate in this Bill.

THE DEPUTY CHAIRMAN: I shall now first put the amendment of Shri Yashwant Sinha for reference of the Bill to a Select Committee of the Rajya Sabha, to vote .

*The amendment was negatived.*

THE DEPUTY CHAIRMAN : I shall now put the motion moved by Shri Rajesh Pilot, to vote. The question is :

"That tle Bill to consolidate and amend the law relating to motor vehicles, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

*Clauses 2 to 217 and the schedule were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI RAJESH PILOT : Madam, I move :

"That the Bill be passed."

*The question was proposed.*

SHRI GHULAM RASOOL MATTO: Madam Deputy Chairman, I would just take two minutes.

Yesterday, I was listening to the speeches made by the Members. Two important speeches have been made, one by Mr. Yashwant Sinha and the other by Mr. Mohammed Amin. Many suggestions were salso made. I can understand that it is very difficult for the Minister at this stage to accept those suggestions into because the motion has already been passed by the Lok Sabha and we are also passing it just now. This Bill is coming up after 50 years. Under the dynamic leadership of the Minister, he has been able to bring this Bill forward. So we should see that this Bill gets passed. But I would request the hon. Minister that many points raised by Mr. Yashwant Sinha and Mr. Mohammed Amin can be inserted into the rules.

I would request the Minister that he should a k his Ministry to do an exercise on the points raised by Mr. Yashwant Sinha because Mr. Ya hwant Sinha spoke with a little authority. Now, there is a saving clause that under clauses 164 and 176, the rules can be framed and the points that they have raised, if some of these points are acceptable to the hon. Minister and his Ministry, they may be incorporated under the rules. But there is a rider, Sir, under clause 216 that you can remove any difficulty which, in your opinion, can arise a a result of the implementation of this Act. So, those difficulties should be removed. But a tendency has arisen that this rule is always in any Act. The Law Minister is here. They are doing it always, in every case. But when this thing is being gone into, they find that the prescribed two years or three years in the Act have passed, so they cannot remove those difficulties. I would request the hon. Minister that the points made by Mr. Yashwant Sinha with regard to international signs, with regard to many other points, should be looked into by the Ministry and wherever possible may be incorporated in the rules within the framework of this Act and I would also request that any removal of difficulty, should be done within the prescribed time in the Motor Vehicles Act.

SHRI RAJESH PILOT ; Madam Deputy Chairman, all the points which have been raised by the hon. Member, Mr. Yashwant Sinha, I have got them here. I can read them. Most of them are already existing here, are entered here. I can go through the points raised by him. He wanted licensing of booking agencies. It is there. He wanted development aspects which I could read out. I could read out all the points which he has mentioned. All these points are there except one point which he has mentioned about the parking on the National Highway itself. Now, at the moment, we do not have four lanes everywhere. At the moment, we do not have even proper two lanes everywhere. What he was desiring was that on the National Highway itself, we can have one lane as a parking lane. Now this is a good idea. In Western countries, the Government have this one lane for the parking on the National Highway. But till we really come up to that level of development on the road that we have four lanes system all over the country, we cannot do it. We can always think at that stage. Supposing, at this juncture, when you do not have two lane roads even and I block half of it for parking, that will not work. So, there is a provision. There is a provision at the moment that State Governments, specially, while implementing this on their part of National Highway, if they feel

[Shri Rajesh Pilot]

like, they can take out. Then, international sign boards are there. Driving schools are there. Special Magistrate courts are there. Then some points were made by hon. Member, Shri Mohammed Amin. He wanted a provision for punishment of drunkard people which I have mentioned in my speech that we have gone very strict and we have gone in for punishment in jail and also, for financial punishment. Another point which he raised was about overspeeding limit, that it should be 60 kms. But I do not think it would be feasible to put it at 60 Kms at the moment because there are some roads where we are ourselves allowing 70 kms to 75 kms on National Highways. So, this depends on some areas. In some areas, 60 kms on the National Highway might be the maximum limit in the hilly areas but in the plain areas where you have to go from Delhi to Chandigarh, it might be that you have to go 70 kms to 75 kms. When you are producing motor vehicles to touch 120 kms you cannot really put a restriction of 60 kms. This may not be practical. But restriction on speed by sepeed-breakers is already in process.

SHRI GHULAM RASOOL MATTO : Sir, we were in Jedda We were travelling in a Limousine. On the lanes, on the Highways we. ourselves saw 70 miles or 90 miles written there because they are big lanes. But a gadget has been provided in every car. When that person who drives the car exceeds a particular speed, a gadget provided in the car begins to boom and the persons, sitting in the car tell the driver, "you are exceeding the limit." So, some such sort of a thing may kindly be considered. When I referred to Mr. Yashwant Sinha or Mohammed Amin, I did not say that the points raised by them are not there in the Act. I said, if some points raised by them are not there, the Ministry may look into them and if it is possible from them, they should consider incorporating these in the Rules. (*Interruption*) ...

SHRI RAJESH PILOT ; It is a very good suggestion which the hon. Member has made. I will certainly discuss it with the Transport manufacturing industries if they can get in touch with the State Governments and some indication could be provided in our vehicles. It is a good suggestion and I can take care of that.

Another thing he said is about arresting the drunkard people: which is already there in clause 202. Whatever suggestions were made by hon. Members, most of them are already there. As I have mentioned earlier, this is a continuing process. This I cannot really tell the House that with this Act, there won't be any problem in the transport and road safety. It is a continuous process. You learn everyday from experience. Our effort is always to learn from the past. We must rectify our mistakes and we must plan for the future. These two aspects have been taken care of in this Bill.

THE DEPUTY CHAIRMAN : The question is :

"That the Bill be passed."

*The motion was adopted.*